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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/753,071 | 01/02/2001 | Edward D. English | 1517.1008-002 | 3494 |
| 21005 | 7590 | 01/26/2005 | EXAMINER | |
| HAMILTON, BROOK, SMITH & REYNOLDS, P.C. 530 VIRGINIA ROAD P.O. BOX 9133 CONCORD, MA 01742-9133 | | | HENEGHAN, MATTHEW E | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2134 | |

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/753,071

Applicant(s)

ENGLISH ET AL.

Examiner

Matthew Heneghan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-13,31-43 and 55 is/are allowed.
- 6) ☒ Claim(s) 14-20,22-30 and 44-54 is/are rejected.
- 7) ☒ Claim(s) 21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. In response to the previous office action, claims 1, 31, and 55 have been amended.
2. Claims 1-55 have been examined.

Specification

3. All previous objections to the specification are withdrawn.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 14-16, 18-20, 24-26, 29, 30, and 44-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,212,635 to Reardon in view of U.S. Patent No. 5,938,767 to Horn.

The invention of Reardon restricts data flow (see abstract), requires a user to enter a PIN (password) after inserting the token/key (see Reardon, column 12, lines 20-

23), and is usable by parents for their children (see column 13, lines 31-40), but does not use a lock and key.

Horn discloses a system wherein a key is turned in a lock, causing a relay to be set that enables or disables data flow (see abstract; column 5, lines 47-51; and column 6, lines 57-60). It is usable with network cards as well as modems (see column 3, lines 28-30). The state of the lock is checked before sending data (see column 5, lines 52-67). The system is used to regulate access to wide-area networks, such as the Internet (see column 3, lines 49-51). A set of rules is used on the data to differentiate allowable from disallowed data flows (see column 6, lines 11-18). Horn further suggests that this lockout system gives an adult the ability to restrict Internet access without knowing how to use a computer (see column 3, lines 35-40).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Reardon by adding a lock and key, as disclosed by Horn, to give an adult the ability to restrict Internet access without knowing how to use a computer.

Reardon discloses the regulation of communications across networks, and the use, inherently stored in memory, of a list of authorized Internet sites via web browsers, retrieving web pages (see column 21, line 59 to column 22, line 10). Internet sites are either referenced by the URL or the IP address of a server, depending on the target site.

5. Claims 17, 22, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,212,635 to Reardon in view of U.S. Patent No.

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5,938,767 to Horn as applied to claim 14 above, and further in view of U.S. Patent No. 6,212,558 to Antur et al.

Reardon and Horn do not disclose the screening of traffic based on the data source or time of day.

Antur discloses firewall security policies wherein restrictions may be made according to time of day or the source of the communication, and further suggests that these define acceptable uses of applications and acceptable access to information (see column 5, lines 27-46).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Reardon and Horn by implementing security policies restricting according to time of day or the source of the communication, as disclosed by Antur, as these define acceptable uses of applications and acceptable access to information.

6. Claims 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,212,635 to Reardon in view of U.S. Patent No. 5,938,767 to Horn as applied to claim 14 above, and further in view of U.S. Patent No. 5,884,025 to Baehr et al.

Reardon and Horn do not disclose the screening of email traffic according to author and recipient.

Baehr discloses the filtering of traffic according to its source and destination (see abstract) and discloses that this can be applied to email (see column 6, line 28), and

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further suggests that a firewall should be designed to minimize the number of ways in which it can be targeted (see column 1, lines 50-53).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Reardon and Horn by filtering email by source and destination, as disclosed by Baehr, as a firewall should be designed to minimize the number of ways in which it can be targeted.

Allowable Subject Matter

7. Claims 1-13, 31-43, and 55 are allowed.

8. Claim 21 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. The following is a statement of reasons for the indication of allowable subject matter:

Claims 1, 21, 31, and 55 are allowable for the reasons for allowability stated in the previous office action with respect to claim 21.

Claims 2-13 and 32-43 are allowable for being dependent upon allow base claims 1 and 31.

Response to Arguments

10. Applicant's arguments filed 8 October 2004 have been fully considered but they are not persuasive.

Regarding Applicant's arguments that Reardon and Horn are not combinable (see Remarks, pp. 12-13), it is noted that both teach to the regulation of computer access by patents, and that there are situations in which parents only wish to limit computer access (to keep a child away from obscene material, for example) and other situations in which a parent wishes to prohibit computer access altogether (when the child would be distracted from what he or she ought to be doing by the computer). It is therefore reasonable to combine the teachings of Reardon and Horn into a single system.

Regarding Applicant's argument that the cited art does not teach a "memory device for storing data flow rules of the communications link" (see p. 13), it is impossible to enforce a set of computerized data flow rules without somehow storing those rules in some sort of memory, either temporarily or permanently, so that the rules can be referenced by the filtering algorithm. The invention therefore inherently teaches to this limitation.

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew E. Heneghan, whose telephone number is (571) 272-3834. The examiner can normally be reached on Monday, Tuesday, Thursday, and Friday from 8:30 AM - 4:30 PM Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse, can be reached at (571) 272-3838.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Or faxed to:

(703) 872-9306

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MEH *MEH*

January 15, 2005

Gregory Morse
GREGORY MORSE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100